

Alstate Process Service Inc.

60 BURT DRIVE
DEER PARK, NEW YORK 11729
631/667-1800

CASE # BIONUTRICS 0114
Date Received: 01/14/08

UNITED STATES SOUTHERN DISTRICT COURT

COUNTY OF NEW YORK

INDEX NO.: 08 CV 0146

BUSHIDO CAPITAL MASTER FUND, L.P., BCMF TRUSTEES,
L.L.C.

Plaintiff(s)

against

BIONUTRICS, INC.

Defendant(s)

**AFFIDAVIT
OF
SERVICE**

STATE OF Florida COUNTY OF Broward

ss.:

being duly sworn, deposes and says: that deponent is not a party

to this action, is over 18 years of age and resides in

That on 1/18/2008 @ 1445

am/pm

@ 5360The State of New YorkFloridaN.W. 35th Ave.Fort LauderdaleFL 33309

deponent served the within

SUMMONS AND COMPLAINT

bearing Index# 08 CV 0146 & filing date 01/07/08

BIONUTRICS, INC.

defendant therein named,

INDIVIDUAL

☐

by delivering thereat a true copy of each to said defendant personally; deponent knew said person so served to be the person described as said defendant therein. (S)He identified (her) himself as such.

CORPORATION

☒

a Domestic corporation, by delivering thereat a true copy of each to TATSIANA Bryts personally; deponent knew said corporation so served to be the corporation described as the named defendant and knew said individual to be the Account Manager thereof an authorized person to accept service of process

SUITABLE AGE PERSON

☐

by delivering thereat a true copy of each to

a person of suitable age and discretion. That person was also asked by deponent whether said premises was the defendant's

and the reply was affirmative.

AFFIXING TO DOOR, ETC.

☐

by affixing a true copy of each to the door of said premises, which is defendant's

within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having verified defendant's

with

and having called there on

MAILING

☐

On

deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to defendant at defendant's

and deposited said wrapper in a post office of the United States Postal Service.

DESCRIPTION

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
<u>F</u>	<u>White</u>	<u>Blonde</u>	<u>30</u>	<u>5'6</u>	<u>130</u>

USE IN NYC CIVIL CT.

☐

Other identifying features:

wearing glasses

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons(es).

MILITARY SERVICE

☐

I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply.

The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or Federal statutes.

NOTARY

SWORN TO BEFORE ME ON

1/23/2008

JOHN VAN STEENKISTE
MY COMMISSION # DD 331312
EXPIRES: September 30, 2008
Bonded Thru Budget Notary Services

SERVER

LICENSE NO.

299

MY COMMISSION EXPIRES

1/1304